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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/614,722	07/07/2003	Edgardo Costa Maianti	DID1044US	7562	
9561 POPOVICH. V	7590 07/19/2007 VILES & O'CONNELL, PA	EXAMINER			
650 THIRD A	VENUE SOUTH	,	CRAIG, I	CRAIG, PAULA L	
SUITE 600 MINNEAPOL	IS, MN 55402		ART UNIT	PAPER NUMBER	
			3761		
			MAIL DATE	DELIVERY MODE	
			07/19/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	1 / 3		
	Application No.	Applicant(s)	
Advisory Action	10/614,722	MAIANTI ET AL.	
Before the Filing of an Appeal Brief	Examiner	Art Unit	
	Paula L. Craig	3761	

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	Paula L. Craig	3761						
The MAILING DATE of this communication appe	ears on the cover sheet with the c	orrespondence add	ress					
THE REPLY FILED 13 June 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.								
1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:								
a) The period for reply expiresmonths from the mailin	g date of the final rejection.							
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.								
TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).							
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL								
2. The Notice of Appeal was filed on 12 July 2007. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).								
AMENDMENTS 2 \ \text{The prepared emendment(e) filed offer a final rejection.}	house maining see show what is a fifting in the state of							
3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below);								
 (b) M They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or 								
(d) They present additional claims without canceling a		ected claims.						
NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.1 4. The amendments are not in compliance with 37 CFR 1.1	` · · ·	mpliant Amandmant	(DTOL 224)					
5. Applicant's reply has overcome the following rejection(s		Impliant Amendment	(F1OL-324).					
6. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the								
non-allowable claim(s). 7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows:								
Claim(s) allowed:								
Claim(s) objected to:								
Claim(s) rejected: <u>1-5</u> . Claim(s) withdrawn from consideration:								
AFFIDAVIT OR OTHER EVIDENCE								
8. The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good ar was not earlier presented. See 37 CFR 1.116(e).	at before or on the date of filing a North of the sufficient reasons why the affidation	otice of Appeal will <u>no</u> vit or other evidence i	ot be entered s necessary and					
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appe	al and/or appellant fa	Is to provide a					
10. The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached. REQUEST FOR RECONSIDERATION/OTHER								
11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.								
12. \square Note the attached Information Disclosure Statement(s).	(PTO/SB/08) Paper No(s)							
13. Other:								
TATYANA ZALUKAEVA SUPERVISORY PRIMARY EXAMINER								
Saach								

U.S. Patent and Trademark Office PTOL-303 (Rev. 08-06) Continuation of 3. NOTE: Consideration of whether or not support is present in the specification for dependent Claims 2-5, and whether or not the prior art discloses the subject matter of Claims 2-5, would require further consideration and/or search.

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argues that the pulsating pump of Raible '149 is an emergency backup pump could not be combined into Raible's integrated system. Applicant's specification does not teach that a pulsating pump serves any stated purpose or solves any particular problem. On the contrary, Applicant's specification teaches that the pulsating pump can be replaced with a centrifugal pump in the invention (specification, page 5, lines 13-14). In addition, pulsating pumps are a known type of pump for use in integrated systems, as shown by Ghelli '990.